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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/272,471	03/19/1999	PETAR RISTANOVIC	98-P-7523-US	5690

7590 07/02/2003

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/272,471

Applicant(s)

RISTANOVIC ET AL.

Examiner

Igor Borissov

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s) _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "the energy generation units" lacks antecedent basis.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 and 10-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al. (US 6,047,274).

Johnson et al. teach a method and system for energy supply bidding, comprising:

As per claims 1, 4-5, 10 and 13-15,

a market user interface, the market user interface exchanging market information with a plurality of market participants (Abstract; column 3, lines 30-49; column 5, lines 26-44; column 13, lines 24-52);

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an energy scheduling subsystem, the energy scheduling subsystem scheduling generation and delivery of energy among market participants in accordance with the market information and in accordance with information relating to the energy generation and delivery system (Abstract; column 3, lines 30-49; column 5, lines 26-44; column 13, lines 24-52).

As per claim 2,

a unit commitment function, the unit commitment function selecting energy generating units for operation in the energy generation and delivery system (Abstract; column 3, lines 30-49; column 5, lines 26-44; column 13, lines 24-52);

a security analysis function, the security analysis function analyzing the energy generation and delivery system under one or more contingency conditions and with the energy generation units selected for operation (Abstract; column 3, lines 30-49; column 5, lines 26-44; column 13, lines 24-52);

an optimal power flow function, the optimal power flow function determining a configuration of the energy generation and delivery system so as to operate in a secure mode under none and each one of the contingency conditions (Abstract; column 3, lines 30-49; column 5, lines 26-44; column 13, lines 24-52).

As per claims 3-8, said method and system, wherein the energy scheduling subsystem schedules generation and delivery of energy at least one of a day in advance and an hour in advance (column 3, line 50 – column 5, line 5).

As per claim 11,

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a case setup function, the case setup function setting up a market case in accordance with the market information (column 4, line 41 – column 5, line 5);

a feasibility test function, the feasibility test function testing the feasibility of the market case and determining auction results in accordance with information relating to the energy generation and delivery system (column 4, line 41 – column 5, line 5);

a post-processing function, the post-processing function providing the auction results to the market participants (column 4, line 41 – column 5, line 5).

As per claims 12 and 16, said method and system, wherein the feasibility test function includes: a security analysis function, the security analysis function analyzing the energy generation and delivery system under one or more contingency conditions and in accordance with the market case; an optimal power flow function, the optimal power flow function determining a configuration of the energy generation and delivery system so as to operate in a secure mode under none and each one of the contingency conditions; and an energy rights pricing function, the energy rights pricing function determining prices for the energy transmission rights to be exchanged in accordance with the auction results (column 3, line 50 – column 5, line 5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. in view of Takriti (US 6,021,402).

As per claim 9, Johnson et al. teach all the limitations of claim 9, except that an input to the optimal power flow function includes a ramping constraint of a power generation unit.

Takriti teaches risk management method and system for electric utilities wherein ramping rates are considered in optimization of scheduling the generating units of electric utilities (Abstract; column 19, lines 45-54).

It would have been an obvious matter of design choice to modify Johnson et al. to include that an input to the optimal power flow function includes a ramping constraint of a power generation unit, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Johnson et al. would perform the invention as claimed by the applicant either with or without including a ramping constraint of a power generation unit.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

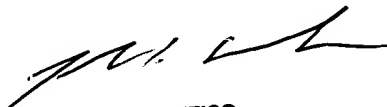
Washington D.C. 20231

or faxed to:

(703) 305-7687 [Official communications; including After Final
communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

IB


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600